

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

v.

No. CIV 12-0469 RB/LAM

KENT CARTER;
KENT CARTER, AS TRUSTEE FOR
THE KENT CARTER FAMILY TRUST,

Defendants.

ORDER DENYING MOTION TO RECONSIDER

THIS MATTER is before the Court on Defendant Kent Carter's Motion to Reconsider Amended Final Judgment, filed on June 26, 2014. (Doc. 66.) The Amended Final Judgment was issued on June 6, 2014. (Doc. 65.) Under either Federal Rule of Civil Procedure 59(e) or 60(b), there are three possible grounds which warrant reconsideration: (1) an intervening change in the controlling law; (2) new evidence previously unavailable; or (3) the need to correct clear error or prevent manifest injustice. *Servants of the Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000). Such a motion does not permit a losing party to rehash arguments previously addressed or to present new legal theories and facts that could have been presented earlier. *Id.* Defendant does not allege the existence of any new law or evidence and he has not shown a need to correct a clear error or prevent manifest injustice. Therefore, Defendant's Motion to Reconsider Amended Final Judgment will be denied.

IT IS SO ORDERED.



ROBERT C. BRACK
UNITED STATES DISTRICT JUDGE